

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30270 of 2023

Arising Out of PS. Case No.-182 Year-2022 Thana- BAISI District- Purnia

AKHILESH KUMAR MAHTO S/O LATE RAMESHWAR MAHTO
Resident of village- Marukiya Ward No.- 06, P.S.- Andhrathadhi, District-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Kumari

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 29-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case
instituted for the offence under Sections 20(b)(11)(c) and 25 of
the N.D.P.S. Act.

3. It is case of recovery of 80 Kg of *Ganja* from a Car.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. The provision of Section 50 of the
N.D.P.S. Act has not been followed in this case, while preparing
the seizure list. Petitioner is languishing in judicial custody
since 10.05.2022.

5. Learned APP for the State has opposed the



application for bail and submitted that petitioner was apprehended on spot and he is named in the FIR. He submitted that huge quantity of *Ganja* recovered from the possession of the petitioner, which comes within the purview of commercial quantity as per N.D.P.S. Act. He further submitted that the F.S.L. report has also corroborated the prosecution case. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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